

## **EXHIBIT I**

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**NORTON ROSE FULBRIGHT**

August 28, 2013

*Via Email & LNFS*

William C. Petit  
Jackson Gilmour & Dobbs, PC  
3900 Essex, Suite 700  
Houston, Texas 77027

Fulbright & Jaworski LLP  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
United States

Direct line 713 651 8487  
jfarley@fulbright.com  
  
Tel +1 713 651 5151  
Fax +1 713 651 5246  
nortonrosefulbright.com

Re: Re: Master File C.A. No. 1:00-1898, MDL No. 1358 (SAS) M21-88  
This correspondence pertains to: Commonwealth of Puerto Rico., et al. v. Shell Oil Co.,  
et al.

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Dear Will:

On behalf of Defendants ConocoPhillips Company ("COP") and Chevron Phillips Chemical Puerto Rico Core LLC ("CPCPRC") (collectively, "Defendants"), we request a meet and confer on Plaintiffs' continued ESI deficiencies in advance of the September 10, 2013 status conference. This has been the subject of correspondence and discussion between the parties for the past several months. I refer you to my letters to you dated June 24, July 15, July 19, and July 30.

The Commonwealth presented Josephine Acevedo, the EQB's Project Manager assigned to Plaintiffs' Trial Site No. 1 – the Core facility – from approximately 2007 until recently, for deposition on May 29. The Commonwealth presented its designated representative for a 30(b)(6) deposition in relation to the Core facility on May 30. Two months later, on July 23, after numerous requests from Defendants, the Commonwealth made its first production to Defendants of Acevedo's ESI. That production consisted of less than 200 documents. The Commonwealth supplemented that ESI production on August 9 with 81 documents from Acevedo. See Exhibit A to Aug. 9 letter from W. Petit to J. Farley.

Likewise, only after Defendants specifically requested that the Commonwealth produce ESI from six custodians identified in the Acevedo deposition who were directly involved in the EQB's oversight of the Core facility (the custodians being supervisors and/or predecessors to Acevedo – Osvaldo Fantauzzi, Carmela Vasquez, Brenda Rodriguez, Flor Del Valle, Israel Torres, and Lorna Rodriguez Diaz), and two-and-a-half months after the Commonwealth presented their 30(b)(6) witness and Acevedo for deposition, the Commonwealth produced just 68 documents from those six custodians. Aside of the dearth of ESI specific to the Commonwealth's Trial Site No. 1, the Commonwealth has only produced ESI specific to the Core facility after Defendants have asked for each custodian by name. Moreover, the ESI that has been produced was done so two-and-a-half months after the Commonwealth presented its 30(b)(6) witness and Acevedo for deposition.

As I stated in my June 24 and July 15 letters, Defendants were prejudiced during the depositions of Acevedo and Bruce Green. Witnesses were not timely provided with preservation notices, and relevant information was likely disposed of as a result. Defendants renew their request for a 30(b)(6) deposition of Plaintiffs in relation to Core-specific ESI,

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document collection, preservation, and discovery efforts. Defendants further request the continuation of the deposition of Josephine Acevedo in order to address her ESI, which was produced months after her deposition. We propose that these depositions take place during the week of September 23, when the parties will already be in Puerto Rico for the depositions of Juan Perez, Lorna Rodriguez, and Carmelo Vasquez. We will serve the deposition notices this week with placeholder dates.

We are available Thursday (tomorrow) afternoon to discuss these and other issues.

Very truly yours,

  
Jessica Earley

JGF